

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY L. BATTLE and LESLIE R. BATTLE,

Plaintiff(s),

v.

STATE FARM FIRE & CASUALTY CO.,

Defendant(s).

Case No. 04-71923

Honorable Nancy G. Edmunds

ORDER DENYING DEFENDANT'S MOTION RECONSIDERATION [30]

The matter before the Court is Defendant State Farm & Casualty Company's motion for reconsideration of the Court's previous order denying its summary judgment motion. Pursuant to Rule 7.1(g) of the Local Rules for the Eastern District of Michigan, a motion for reconsideration may be filed within ten days after the order to which it objects is issued. It should be granted if the movant demonstrates that the Court and the parties have been misled by a palpable defect and that a different disposition of the case must result from a correction of such palpable defect.

Defendant does not, however, present new arguments in its motion for reconsideration; instead, it argues the same points made in its original motion. It is well settled that arguments made and rejected in a party's original motion cannot be reargued in a motion for reconsideration. See, e.g., *Graham ex rel. Estate of Graham v. Washtenaw*, 358 F.3d 377, 385 (6th Cir. 2004). Defendant's motion for reconsideration is therefore DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 26, 2005

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 26, 2005, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager